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DATE: March 17, 2005

FROM:

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TELEPHONE: (303) 938-9999 ext. 21**NUMBER OF PAGES (including this page):**

4

EMAIL: kway@soiplaw.com**TO:****TELEPHONE:**

Mailstop: ISSUE FEE
Commissioner for Patents
United States Patent and
Trademark Office

RE:**FAX:** (703) 872-9306

Application No. 09/898,550
Filed: 7/3/2001
Art Unit: 2128
Examiner: Russell Warren Frejd
Inv.: Benjamin J. Parker
Docket No. 1555

MESSAGE Attached are the following:

1. Transmittal (one page);
2. Comments on Statement of Reasons for Allowance (2 pages).

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PTO/SB/21 (09-04)

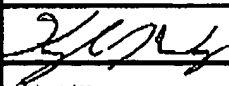
Approved for use through 07/31/2008. OMB 0651-0031

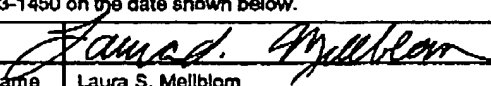
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/898,550; Confirmation 2865
		Filing Date	7/3/2001
		First Named Inventor	Benjamin J. Parker
		Art Unit	2128
		Examiner Name	Russell Warren Frejd
Total Number of Pages in This Submission	2	Attorney Docket Number	1555

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input checked="" type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Comments on Statement of Reasons for Allowance
Remarks It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 210765 for the required fees.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	SETTER OLLILA LLC		
Signature			
Printed Name	Kyle J. Way		
Date	3/17/05	Reg. No.	43,549

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Laura S. Mellblom	Date
		3-17-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No. 1555**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED
CENTRAL FAX CENTER****MAR 17 2005**

In re application of: Benjamin J. Parker
Application No.: 09/898,550
Filed: 07-03-2001
For: CUSTOMER PREMISES SIMULATION FOR A SERVICE PROVIDER

Group No.: 2128
Examiner: Russell Warren Frejd

Mailstop: ISSUE FEE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

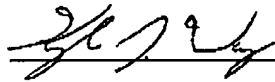
In response to the Notice of Allowance and the accompanying Statement of Reasons for Allowance dated March 2, 2005, please consider the following comments:

In the Statement of Reasons for Allowance, "the examiner concludes that the term "tunable" in the claims of the present invention describes the use of variable components to vary the load on the line wire in a manner not limited to the fixed increments of the current wire line simulators." Section 2.3, page 2, of the Reasons for Allowance. While the variable components may be employed to vary the load in a manner not limited to fixed increments, other structures not employing variable components may also be utilized to vary the load in the same fashion. For example, the current specification indicates that an analog-to-digital (A/D) converter, a processor and a digital-to-analog (D/A) converter may be employed to convert a service provider signal into an analog signal that "can then be used to simulate a condition to a service provider." Page 10, lines 9-19. Thus, the Assignee respectfully asserts that the scope of the claims of the current application is not limited to the use of variable components, such as variable resistors, variable inductors, or variable capacitors.

The Assignee believes no additional fees are due with respect to this filing. However, should the Office determine additional fees are necessary, the Office is hereby authorized to charge Deposit Account No. 21-0765.

Respectfully submitted,

Date: 3/17/05



SIGNATURE OF PRACTITIONER

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